

COLLECTION OF LAWS AND REGULATIONS
-- NORTH CHINA POLITICAL COUNCIL --

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PROVISIONAL REGULATIONS

RELATING TO OPIUM SUPPRESSION IN NORTH CHINA

Promulgated by the North China Political Council on 31 August 1940, by Order 'Hui' No. 56, to come into effect 1 Oct 1940

ARTICLE 1 The North China political Council, for the purpose of opium suppression, establishes by this regulation the Opium Suppression Bureau, under the direct control of the Board of Finance, to deal with matters relating to opium suppression.

The Bureau, when necessary, may establish Branch Bureaux.

The organic laws of the Opium Suppression Bureau and of its branches will be separately prescribed.

ARTICLE 2 Opium stated in this Regulation includes raw opium, manufactured opium and opium for medical use.

ARTICLE 3 Smoking of opium is forbidden. But those who are over fifty years of age addicted to smoking are exempted.

Those who are over thirty years of age addicted to smoking on account of illness and being certified by physicians as necessary for medical treatment are temporarily and specially permitted to smoke. The Proviso of the first paragraph and the Provisions of the second paragraph of this Article do not apply to civil servants, educational service, students, and representatives of people.

ARTICLE 4 The importation and exportation of opium and of instruments for smoking are prohibited unless permission of the competent government authority is obtained.

ARTICLE 5 The manufacturing of opium shall be carried on by Government licencees only.

Instruments for smoking shall not be manufactured without the permission of the Government.

ARTICLE 6 Transporting, selling, buying, delivering, receiving, owning, or possessing opium or instruments for smoking opium is forbidden unless Government permission has been obtained.

ARTICLE 7 With the exception of Government licensed dealers, no one shall sell, buy, give, receive, own or possess opium, but the opium ashes owned or possessed by opium smokers, as a result of their smoking opium, are exempted.

ARTICLE 8 With the exception of Government licensed opium dealers, no one shall, for the purpose of pecuniary gain, furnish other people with places or establishments for smoking opium.

ARTICLE 9 Without Government permission the planting of poppy is forbidden. Those for the purpose of manufacturing opium substitutes are likewise forbidden.

ARTICLE 10 Selling, buying, giving or receiving the seed of poppy for the purpose mentioned in the preceding Article is forbidden, except the sale or gift of the same by Government licensed poppy planters.

ARTICLE 11 Licensed poppy planters shall sell the raw opium raised by themselves to those designated by the Government.

ARTICLE 12 Licensed opium sellers are forbidden to mingle foreign substance into opium for sale or delivery.

ARTICLE 13 The manufacturing, buying, giving, receiving, owning,

or possessing any substance in which opium is contained is forbidden unless for medical purposes in accordance with law separately provided.

ARTICLE 14 The competent authorities, for the purpose of curing the habit of opium smoking, may administer necessary punishment to opium addicts.

ARTICLE 15 The competent authorities may order the persons to whom licenses are issued under Article 4 to Article 9 inclusive, to submit reports on matters which thesaid authorities may deem necessary.

ARTICLE 16 The competent authorities, when necessary, may send inspectors to the residences, the manufaturing places, or other places of the persons to whom licenses have been issued under Article 4 to Article 9 inclusive, for the purpose of examining the conditions relating to raw materials, machines and equipments for manufacturing, accounts and receipts, and other relative documents. The said authorities may take restrictive or corrective measures whenever necessary.

ARTICLE 17 When the instruments for smoking opium are no longer needed due to the death of opium addict or otherwise, they should be reported to the competent authorities in charge of opium suppression, by the addict himself or his successor. The left over opium and the instruments for smoking opium should be turned in.

When a person permitted to manufacture, transport, buy, sell, transfer, own or possess opium and instruments for smoking is dead, his successor, or the executor of his will, or the administration of his legacy may succeed to or administer them, provided it is

reported to and registered with the competent authorities.

ARTICLE 18 Violations of the provisions in Articles 4 to 7 inclusive, and Articles 9 to 13 inclusive, shall be punished with imprisonment or not more than five years or a fine of not more than five thousand dollars, or both, if it is for pecuniary gain; and shall be punished with imprisonment of not more than three years, if not for pecuniary gain.

ARTICLE 19 Violations of the provisions in Article 3 and Article 8 shall be punished with imprisonment of not more than one year or a fine of not more than one thousand dollars, or both. Physicians giving false certification shall be likewise punished.

ARTICLE 20 Anyone who committed one of the following offenses shall be punished with detention or a fine not more than one hundred dollars:

- (1) failure to report or to turn in as prescribed in Article 15 and Article 17, Section 1, or making a false report.
- (2) intentional resistance to, or interference with, or evasion of the inspection prescribed in Article 16 or failure to make a statement or making a false statement of the items under investigation, or failure to observe the orders of the competent authorities.

ARTICLE 21 A manager of a juristic person or of a commercial firm or a representative or a manager of a nonjuristic organization shall be deemed to be a joint principal offender whenever his employee or his other assistant violates the Provisions of these Regulations, whether such violation is with or without his knowledge or participation.

ARTICLE 22 Anything supplied, in violation of the Provisions of the present Regulations, to commit an offense, or poppy, opium or instruments for smoking, obtained for the purpose of committing an offense shall be confiscated, whether or not it belongs to the offender.

In case it is no longer possible to confiscate the whole or a part of the above mentioned thing or things, a fine of its or their equivalent value shall be imposed.

ARTICLE 23 Offenders of these Regulations shall be punished by courts, providing that punishment under Article 20 may be applied under summary procedure.

ARTICLE 24 These provisional Regulations shall come into effect on 1 October 1940.